

After recording please mail to:  
**Community Development Department**  
**City of Newport**  
**169 SW Coast Hwy**  
**Newport, OR 97365**

Lincoln County, Oregon  
01/09/2015 10:47:50 AM  
DOC-WVR/REM  
\$10.00 \$11.00 \$20.00 \$10.00 \$7.00 - Total = \$58.00

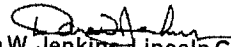
**2015-00169**

Cnt=1 Pgs=2 Stn=29



00098811201500001690020026

I, Dana W. Jenkins, County Clerk, do hereby certify  
that the within instrument was recorded in the Lincoln  
County Book of Records on the above date and time.  
WITNESS my hand and seal of said office affixed.

  
Dana W. Jenkins, Lincoln County Clerk



## LAND IMPROVEMENT WAIVER OF REMONSTRANCE

THIS AGREEMENT, is between the City of Newport ("City") and Michael Kukkola ("Owner").

### RECITALS

- A. Owner desires to construct improvements on the property that is currently identified as a portion of Tax Lot 03600 of Assessor's Map 11-11-05-DD; and further described as: Lot 4, Block 2, Bakers First Addition to Newport

The property described in this section will be referred to as the "Property."

- B. Pursuant to Newport Municipal Code (NMC) Chapter 14.44.050(B), a non-remonstrance agreement for street, sidewalk, and storm water is required to be executed as part of the building permit process for the Property.

### TERMS OF AGREEMENT

1. This Agreement is a covenant running with the Property and binding on Owner and Owner's successors in interest. This Agreement affects the title to and the rights to possession of the Property. All of the terms, conditions, requirements, obligations and agreements in this document (the "requirements") shall run with the land and shall be binding upon, and inure to the benefit of, Owners and their successors in interest, including all future owners of any portion of the Property.
2. Owner will participate in any local improvement district or districts formed for the construction of street, sidewalk, and storm water that the subject parcel would be part of.
3. The City Engineer may commence proceedings for a local improvement district or districts as authorized by Newport Municipal Code Chapter 12.05.
4. Owner's execution of this agreement shall be equivalent to the submission of a petition to form a local improvement district and shall constitute a waiver of any right to remonstrate against the formation of the local improvement district. However, nothing herein contained is intended to limit the right of Owner to contest, in the manner provided by law, the formula or method by which such costs are allocated to benefited properties.

DATED this 9<sup>th</sup> day of January, 2015.

(signatures on following page)

CITY OF NEWPORT

Spencer Nebel

By: Spencer Nebel  
City Manager

OWNER

Michael Kukkola

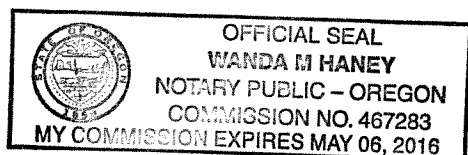
Michael Kukkola

STATE OF OREGON )

) ss.

County of Lincoln )

This instrument was acknowledged before me on January 9, 2015 by Spencer Nebel, as City Manager for the City of Newport.



Wanda M Haney

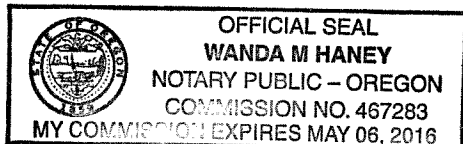
Notary Public - State of Oregon

STATE OF OREGON )

) ss.

County of LINCOLN )

This instrument was acknowledged before me on January 9, 2015 by Michael Kukkola, owner.



Wanda M Haney

Notary Public - State of Oregon